1946. **File No.** Adm. Agency
Legal Dept. /46

(**BRANCH**

Subject:— Agency functions —
Entrustments of — to the
Provincial Governments

P & E

File No. Adm. Agency /46

Gen. 194

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No. 1809/34-D.

Political and Services Department.
Bombay Castle, 30th January 1946.

Subject:- Agency functions.
Contribution from Central Revenues for work done in the Bombay Secretariat.

MEMORANDUM.

The attention of all the Departments of the Secretariat (except the Separate Department) is invited to the Political and Services Department endorsement No. 1809/34-A, dated the 31st October 1941 and their replies thereto and the Political and Services Department endorsement No. 1809/34-D, dated the 2nd February 1943, on the above subject. The question of contribution payable by the Central Government for the work done in the Bombay Secretariat was postponed for the duration of the war and is now being taken up with the Centrl Government. For this purpose, the Departments of the Secretariat (except the Separate Department) are requested:-

(i) to examine the position and bring the statement accompanying the Political and Services Department letter to the Government of India, No. 1809/34-A, dated the 5th/16th March 1940 upto date so far as they are respectively concerned, and

(ii) to offer such remarks as they may have to make with particular reference to the question of agency cost involved in each item of the agency which so far as they are respectively concerned should be taken into account while reviewing the annual contribution paid by the Government of India at Rpresent.

± C.
V.R.K.
3/7/56

2. The question of the agency cost in respect of the items pertaining to the Defence Department and His Excellency the the Crown Representative is being examined

By order of the Government of Bombay,

Sd/-

For Chief Secretary to the Government of Bombay,
Political and Services Department.

4 c.
V.R.K.
3/7/56

Copy of Government letter Political and Services Department No. 1809/34-D, dated the 9th February 1946, to the Government of India.

Subject:- Agency functions on behalf of the several Departments of the Government of India-Contribution from the Centre.

In continuation of my letter No. 1809/34-D, dated the 1st February 1946, I am directed to say that for the purpose of calculating the cost payable by the Central Government on account of the agency work done in the Bombay Secretariat the agency items have hitherto been divided under three heads according as they pertained to (i) His Excellency the Crown Representative (ii) the Defence Department and (iii) the other Departments of the Government of India. As the Defence Department has now been abolished and the subjects dealt with therein have been distributed to the Home, Commerce and Legislative Departments of the Government of India, it is presumed that only such of the items as are now dealt with the by the War Department should be included under (ii) above and that the rest, excepting those pertaining to His Excellency the Crown Representative, included under (iii). I am to enquire whether this presumption is correct and, if not, to request that the position may kindly be elucidated.

Copy of a letter from the Government of India, Finance Department No.F.20(4)-F-II/45, dated the 26th February 1946.

Subject:- Agency Functions on behalf of the Government of India - contribution from the Centre.

I am directed to confirm the presumption made in the last sentence of your letter No. 1809/34-D, dated the 9th February 1946.

S & C.
V.R.K.
3/7/56

Below copies of :-

1. Government letter Political and Services Department No. 1809/34-D, dated the 9th February 1946 to the Government of India,

2. Letter from the Government of India, Finance Department, No.F.20(4) - F.II/45, dated the 26th February 1946.

No. 1809/34-D.
Political and Services Department
Bombay Castle, 11th April 1946.

Forwarded to all Departments of the Secretariat (except the Separate Department) for information and guidance in continuation of this Department Memorandum No. 1809/34-D, dated the 30th January 1946.

2. The Departments are requested to include in the statements called for in this Department Memorandum quoted above such of the items as originally pertained to the Defence Department of the Government of India but have since been distributed to Departments other then the War Department.

3. The Home and Revenue Departments are further requested to review the position regarding the items, shown in the statement appended to this Department letter to the Government of India No. 1809/34-A, dated the 5/16th March 1940, as pertaining to the Defence Department, which now pertain to the War Department of the Government of India and also any other items pertaining to the War Department which have since been entrusted to the Provincial Government and to furnish a separate statement showing those items and also the contribution recoverable from the Government of India in respect of them. Other Departments of the Secretariat should also furnish similar statements in respect of the items, if any pertaining to the War Department with which they may be concerned.

By order of the Governor of Bombay,

C.K.Haru,

For Chief Secretary to the Government of Bombay,

4 c.
V.R.K.
3/7/56

Secret

No. 3511,
Legal Department,
Bombay Castle, 2nd April 1946.

Subject:- Agency functions - Contribution from Central Revenues for work done in the Bombay Secretariat.

Memorandum:

The undersigned presents compliments to the Chief Secretary to the Government of Bombay, Political and Services Department and with reference to that Department Memorandum No. 1099/36-S, dated the 30th January 1946 on the above subject is directed to state the that this Department is concerned with the following items of the consolidated statement showing Agency functions performed by the Government of Bombay received with the Political and Services Department letter No. 1099/36-S, dated the 5th March 1946.

Law Department - non-statutory.

(i) Item 17 - Legal advice to the Central Government by the law officers of the Provincial Government.

(ii) Item 19 - Defence and conduct of legal proceedings on behalf of the Central Government.

Legislative - Statutory -

(iii) Item 1 - Elections to the Federal Legislature subject to the Government of India Act, 1935, and of any Orders in Council thereunder.

2. As regards item No. 17 above - The contribution to be paid by the Government of India for a period of five years beginning from 1st April 1945 have now been fixed at Rs. 6000/- instead of at Rs. 10,000/- per annum. The remarks in the consolidated statement accompanying the Political and Services Department letter to the Government of India, No. 1099/36-S, dated the 5th March 1946, should be :

The Government of India will not now utilise the services of the Advocate General or the Solicitors to Government but only those of the L.L.A. and the Government pleaders. For these services the Government of India in their legislative Department letter No.F.311/2/42 C.A.C. (Jud.) dated the 15th February 1946 have agreed

A.C. V.R.E.
5/7/46

to the payment of Rs. 5000/- annually to the Provincial Government for a period of five years with effect from 1st April 1953".

As regards item No. 10 there is no change in the original remark.

As regards item No. 1 - Legislative - Statutory:
It is proposed that the amount to be charged to the Government of India for work done in connection with the electoral rolls and elections to the Central Legislature should be recovered according to the following rule of thumb:-

"(a) For preparation of electoral rolls:

(i) The actual cost of stationery and printing;

(ii) The actual cost of any special establishment engaged in connection with the rolls, and

(iii) 20 per cent. of the cost of items (i) and (ii) for the work done by Government of Bombay officers.

(b) For general elections, if contested:

(i) The actual cost of items debited under suitable account heads,

(ii) The actual cost of any special establishment engaged in connection with the elections, and

(iii) 20 per cent of the cost of items (i) and (ii) for the work done by Government of Bombay officers.

(c) For by-elections, if contested:

(i) The actual cost of items debited under suitable account heads,
(ii) The actual cost of any special establishment engaged in connection with the elections, and

(iii) 20 per cent. of the cost of items (i) and (ii) for the work done by the Government of Bombay officers.

(d) For elections of any kind, if uncontested: the sum of Rs. 100 per election provided that where an election has become uncontested by reason of the withdrawal of candidates within the time allowed for withdrawal of nominations and that before the withdrawal of such candidates the Returning officer has had to deal with objections against any of the nomination papers presented and to decisions to their validity an extra charge of Rs. 50/- shall be made."

d.c.
V.P.R.
3/7/53

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In order to ~~xx~~ state clearly the ~~correct~~ position on the ~~xxxxxxxxxxxx~~ consolidated statement appended to the Political and Service Department letter No. 1209/34-A dated 8th May 1934, may be further amended by the substituting the above rules of thumb for the 2nd and 3rd paras. of the changes suggested in the form appended to this Department letter No. 204 66, dated the 6th December 1934.

By order of the Governor of Bo

Sd/-

for Secretary to Government.

To

The Chief Secretary to the Government of Bombay,
Political and Services Department.

C.C.
V.A.E.
8/V/36

No. 4255
Legal Department.
Bombay Castle, 10th June 1946.

GC.
V.R.K.
3/7/56

Subject:- Agency Functions
Contributions from Central
Revenues for work done in
the Bombay Secretariat.

MEMORANDUM.

The undersigned presents compliments to the Chief Secretary to the Government of Bombay, Political and Services Department and with reference to that Department memorandum No. 1809/34-A, dated the 28th May 1946, on the above subject, is directed to state that, that Department memorandum No. 1809/34-D, dated the 30th January 1946, has already been replied to under this Department memorandum No. 2511, dated the 2nd April 1946 and as regards that Department memorandum No. 1809/34-D, dated the 11th April 1946, it is pointed out that as this Department has no items pertaining to War Department no change is required to be made in this Department memorandum No. 2511, dated the 2nd April 1946.

By order of the Governor of Bombay,

Sd/-

for Secretary to Government.

GC.
V.R.K.
3/7/56